

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUAN PABLO CHAVEZ,

Plaintiff,

v.

SERGEANT WILLIAM FINNEY, OFFICER
STEPHEN STREICHER, and OFFICER
ANTHONY TORTORICE,

Defendants.

No. 19-CV-4109 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On May 2, 2023 and May 25, 2023, the Court held conferences to discuss next steps in this matter, but Plaintiff, who is proceeding *pro se*, failed to appear at either conference. *See* Dkt. 76, 77, 78. On July 12, 2023, the Court held a third telephonic conference, and for the third time, Plaintiff did not appear, notwithstanding the Court's repeated orders that Plaintiff's failure to respond to orders may result in dismissal pursuant to Federal Rule of Civil Procedure 41(b). *See* Dkt. 80. On the same day, a letter from Plaintiff dated May 26, 2023 was filed on the docket, although it did not address his inability to attend the prior conferences. Attached to the letter were three documents titled "County of Los Angeles Sheriff's Department Inmate Request Form" that appear to have been completed by Plaintiff. Furthermore, in a letter docketed on June 13, 2023 Plaintiff updated his prior address, which appears to be state facility in California. Although the Court's orders at docket entries 76, 77, 78 and 80 were all mailed to Plaintiff's prior address and/or the new address updated as of June 13, 2023, Plaintiff has not acknowledged receipt of any of the Court's prior orders.

Given that Plaintiff appears to be in the custody of the Los Angeles Sheriff's Department,

the Court will give Plaintiff one final opportunity to indicate whether he still plans to prosecute this action, and if so, when he will be available for trial. **Failure to respond to this order by September 1, 2023 will result in dismissal for failure to prosecute.**

The Clerk of Court is respectfully directed to mail a copy of this order to his prior address as well as the new address Plaintiff has included in his June 13, 2023 letter at docket number 79.

SO ORDERED.

Dated: July 14, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

Ronnie Abrams
United States District Judge